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Legislative History – Montana Session Law

Chapter: 121 Session L: 2011
Bill Number: SB 361

Checklist of Bill History

History and Final Status Sheet	☒
Introduced Bill	☒
Fiscal Note	☒
Third Reading Bill	☒
Final Version of Bill	☒

House	**Senate**
Committee: Business and Labor	Committee: Business, Labor, and Economic Affair
Hearing Date(s): 03/09/2011	Hearing Date(s): 02/18/2011
Committee Report: Bill concurred	Committee Report: Bill passed

Conference Committee

Hearing Date(s):

Conference Committee Report:

Compiler Notes

Compiled by: Charlotty Herman
Date: 08/07/2026
Notes: No conference committee or House hearing exhibits.

~~(9)~~*(15)* "Subdivision" has the meaning provided for in 76-3-103. The definition includes subdivisions that may be developed in one or more phases of development at different periods of time.

~~(10)~~*(16)* "Utility" means a public utility regulated by the commission pursuant to Title 69, chapter 3, or a utility qualifying as an electric cooperative pursuant to Title 35, chapter 18, or their successors or assignees.

~~(11)~~*(17)* "Vector" means a straight line between two points."

Section 3. Section 69-8-411, MCA, is amended to read:

"69-8-411. Nondiscriminatory access. (1) Nonutility generators and electricity suppliers must have open, fair, and nondiscriminatory access to a public utility's transmission and distribution facilities according to federal energy regulatory commission rules and regulations for purposes of serving those customers identified in 69-8-201(1) and (2).

(2) ~~Public~~ *Except as provided in [section 1], public* utilities shall grant the retail customers identified in 69-8-201(1) and (2) and their electricity suppliers access to transmission and distribution facilities at rates and under terms and conditions comparable to the public utility's own access to those facilities or access by the public utility's affiliates.

(3) Public utilities shall file tariffs for transmission and distribution services regulated by the federal energy regulatory commission and the commission implementing subsections (1) and (2)."

Section 4. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 69, chapter 5, part 1, and the provisions of Title 69, chapter 5, part 1, apply to [section 1].

Section 5. Effective date. [This act] is effective on passage and approval.

Approved April 1, 2011

CHAPTER NO. 121

[SB 361]

AN ACT GENERALLY REVISING GAMBLING LAWS; ALLOWING VIDEO LINE GAMES IN LICENSED ESTABLISHMENTS; PROVIDING CONDITIONS FOR OPERATION OF VIDEO LINE GAMES; PROHIBITING ADVERTISING OR PROMOTION OF GAMES NOT SPECIFICALLY AUTHORIZED; PROHIBITING MANUFACTURERS FROM CHARGING CERTAIN GAME FEES ON A DAILY OR PERIODIC BASIS; AMENDING SECTIONS 23-5-602, 23-5-603, 23-5-607, 23-5-608, 23-5-611, AND 23-5-621, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 23-5-602, MCA, is amended to read:

"23-5-602. Definitions. As used in this part, the following definitions apply:

(1) "Associated equipment" means all proprietary devices, machines, or parts used in the manufacture or maintenance of a video gambling machine, including but not limited to integrated circuit chips, printed wired assembly, printed wired boards, printing mechanisms, video display monitors, metering devices, and cabinetry.

(2) (a) "Bingo machine" means an electronic video gambling machine that, upon insertion of cash, is available to play bingo, as defined by rules of the department. The machine uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed for cash.

(b) The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(3) (a) "Bonus game" means a game other than *a* bingo, poker, ~~or~~ keno*, or video line game* that is offered as a prize for playing and achieving a ~~win~~ *defined outcome* by playing *a* bingo, poker, ~~or~~ keno*, or video line game*. The term includes a game that allows a player to win free credits, free games, or a multiplier of credits already won or to move to an accelerated pay table for the play of ~~poker,~~ *a* bingo, *poker,* ~~or~~ keno*, or video line game*. A bonus game must make available to the player a display of the rules for the bonus game.

(b) The term does not include a game that allows the player to wager money or credits on the game or to lose money or credits already won. The term does not include a game by which the bonus game would become the predominant game rather than *a* bingo, poker, ~~or~~ keno*, or video line game*. The department shall by administrative rule define the conditions that would cause a bonus game to be the predominant game. The term does not include a game that displays or simulates a gambling activity that is not legal under state law.

(4) "Electronically captured data" means video gambling machine accounting information and records of video gambling machine events, in electronic form, that are automatically recorded and communicated to the department through an approved automated accounting and reporting system.

(5) "Gross income" means money put into a video gambling machine minus credits paid out in cash.

(6) (a) "Keno machine" means an electronic video gambling machine that, upon insertion of cash, is available to play keno, as defined by rules of the department. The machine uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed for cash.

(b) The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(7) "Licensed machine owner" means a licensed operator or route operator who owns a video gambling machine for which a permit has been issued by the department.

(8) "Multigame" means a combination of at least two or more approved types of games, including bingo, poker, keno, or video line games, within the same video gambling machine cabinet if the video gambling machine cabinet has been approved by the department.

~~(8)~~*(9)* "Permitholder" means a licensed operator on whose premises is located one or more video gambling machines for which a permit has been issued by the department.

~~(9)~~*(10)* (a) "Poker machine" means an electronic video gambling machine that, upon insertion of cash, is available to play or simulate the play of the game of draw poker, 5-card stud, 7-card stud, or hold 'em, as defined by rules of the department. The machine uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed for cash.

(b) The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(11) (a) "Video line game" means a video line game as defined by rules of the department and approved by the department. A video line game uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed for cash. Video line games may be offered only in a multigame video gambling machine cabinet.

(b) The term does not include a game played on a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value."

Section 2. Section 23-5-603, MCA, is amended to read:

"23-5-603. Video gambling machines — possession — play — restriction. (1) A licensed operator may make available for public play only the number of approved video gambling machines specifically authorized by this part.

(2) The video gambling machines specifically authorized by this part are bingo, *poker,* keno, ~~and draw poker~~*, video line, and multigame video gambling* machines. Only the number of approved machines for which permits have been granted under 23-5-612 may be made available for play by the public on the premises of a licensed operator. The department shall adopt rules allowing a video gambling machine that needs repair to be temporarily replaced while it is being repaired with a video gambling machine that is approved under the permit provisions of this part. A fee may not be charged for the replacement machine.

(3) A video line game approved by the department for play must be made available to any licensed machine owner.

(4) A manufacturer may not charge a fee for the use of a bingo, poker, keno, video line, or multigame video gambling machine on a daily basis or any other periodic basis.

(5) A licensed operator, distributor, route operator, or manufacturer is prohibited from referencing games not authorized under this title in advertising, promoting, or inducing play of a video gambling machine. The department shall further define by rule what advertising is allowed under this subsection.

~~(3)~~*(6)* Machines on premises appropriately licensed to sell alcoholic beverages for on-premises consumption, as provided in 23-5-119, must be placed:

(a) in a room, area, or other part of the premises in which alcoholic beverages are sold or consumed; and

(b) within control of the operator for the purpose of preventing access to the machines by persons under 18 years of age."

Section 3. Section 23-5-607, MCA, is amended to read:

"23-5-607. Expected payback — verification. *(1)* The department shall prescribe the expected payback value of ~~one~~ credit awarded to be at least 80% of the value of ~~one~~ credit played *for each bingo, poker, keno, and video line game in a video gambling machine. The credit ratio may not be greater than 92% for each video line game.*

(2) Each video gambling machine must have an electronic accounting device that the department may use to verify the winning percentage."

Section 4. Section 23-5-608, MCA, is amended to read:

"23-5-608. Limitation on amount of money played and value of prizes — payment of credits in cash. (1) A video gambling machine may not allow more than $2 to be played on a game or award free games or credits in excess of ~~the following amounts:~~

~~(a) $800 a game for a video draw poker machine; and~~

~~(b)~~ $800 a game ~~for a video keno or bingo machine~~.

(2) A licensee shall pay in cash all credits owed to a player as shown on a valid ticket voucher."

Section 5. Section 23-5-611, MCA, is amended to read:

"23-5-611. Machine permit qualifications — limitations. (1) (a) A person who has been granted an operator's license under 23-5-177 and who holds an appropriate license to sell alcoholic beverages for consumption on the premises as provided in 23-5-119 may be granted a permit for the placement of video gambling machines on the person's premises.

(b) If video keno or bingo gambling machines were legally operated on a premises on January 15, 1989, and the premises were not on that date licensed to sell alcoholic beverages for consumption on the premises or operated for the principal purpose of gaming and there is an operator's license for the premises under 23-5-177, a permit for the same number of ~~video keno, bingo, or combination poker-keno-bingo~~ *multigame* gambling machines as were operated on the premises on that date may be granted to the person who held the permit for ~~such~~ *that number of* machines on those premises on that date.

(c) A person who legally operated an establishment on January 15, 1989, for the principal purpose of gaming and has been granted an operator's license under 23-5-177 may be granted a permit for the placement of ~~video~~ *bingo, poker,* keno, ~~bingo,~~ *video line,* or ~~combination poker-keno-bingo~~ *multigame video* gambling machines on the person's premises.

(2) An applicant for a permit shall disclose on the application form to the department any information required by the department consistent with the provisions of 23-5-176.

(3) A licensee may not have on the premises or make available for play on the premises more than 20 machines of any combination."

Section 6. Section 23-5-621, MCA, is amended to read:

"23-5-621. Rules. (1) The department shall adopt rules that:

(a) implement 23-5-637;

(b) describe the video gambling machines authorized by this part and state the specifications for video gambling machines authorized by this part, including a description of the images and the minimum area of a screen that depicts a bingo, poker, ~~or~~ keno*, or video line* game;

(c) allow video gambling machines to be imported into this state and used for the purposes of trade shows, exhibitions, and similar activities;

(d) allow each video gambling machine to offer any combination of approved *bingo,* poker, keno, ~~and bingo~~ *and video line* games within the same video gambling machine cabinet if the owner of the video gambling machine has received approval to report video gambling machine information ~~utilizing~~ *using* an approved automated accounting and reporting system or has entered into an agreement with the department to ~~utilize~~ *use* an approved automated accounting and reporting system;

(e) allow, on an individual license basis, licensed machine owners and operators of machines that ~~utilize~~ *use* an approved automated accounting and reporting system to:

(i) electronically acquire and use for an individual licensed premises the information and data collected for business management, accounting, and payroll purposes~~; however,~~. *However,* the rules must specify that the data made available as a result of an approved automated accounting and reporting system may not be used by licensees for player tracking purposes; and

(ii) acquire and use, at the expense of a licensee, a department-approved site controller;

(f) minimize, whenever possible, the recordkeeping and retention requirements for video gambling machines that ~~utilize~~ *use* an approved automated accounting and reporting system.

(2) The department's rules for an approved automated accounting and reporting system must, at a minimum:

(a) provide for confidentiality of information received through the approved automated accounting and reporting system within the limits prescribed by 23-5-115(8) and 23-5-116;

(b) prescribe specifications for maintaining the security and integrity of the approved automated accounting and reporting system;

(c) limit and prescribe the circumstances for electronic issuance of video gambling machine permits and electronic transfer of funds for payment of taxes, fees, or penalties to the department;

(d) describe specifications and a review and testing process for approved automated accounting and reporting systems to be ~~utilized~~ *used* by licensed operators, including the requirements for electronically captured data; and

(e) prescribe the frequency of reporting from an approved automated accounting and reporting system and provide exceptions for geographically isolated video gambling operators."

Section 7. Effective date. [This act] is effective on passage and approval and applies to the operation of video line games on or after January 1, 2012.

Approved April 1, 2011

CHAPTER NO. 122

[HB 25]

AN ACT EXPANDING AND REVISING LAWS RELATED TO CERTAIN LICENSING BOARDS' MEDICAL ASSISTANCE PROGRAMS; REQUIRING PERIODIC AUDITS OF THE PROGRAMS; APPLYING CONFIDENTIALITY PROVISIONS TO THE PROGRAMS; REQUIRING BOARD ACTION ON CERTAIN PROGRAM VIOLATIONS; REQUIRING MEDICAL ASSISTANCE PROGRAMS FOR THE BOARD OF MEDICAL EXAMINERS AND THE BOARD OF PHARMACY; AMENDING SECTIONS 37-1-131, 37-3-203, 37-3-401, 37-4-311, 37-7-201, AND 37-8-202, MCA; AND REPEALING SECTION 37-3-208, MCA.

Be it enacted by the Legislature of the State of Montana:

Section 1. Assistance program audits. (1) In each 10-year period, the medical assistance programs provided for in chapters 3, 4, 7, and 8 must be audited for performance objectives as determined by each licensing board in chapters 3, 4, 7, and 8 at least twice, as provided in subsections (2) and (3).

SENATE BILL TO CHAPTER NUMBER

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SB 5	188
SB 7	115
SB 9	189
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SB 26	37
SB 27	18
SB 28	232
SB 29	412
SB 30	257
SB 31	19
SB 32	91
SB 34	92
SB 35	359
SB 36	360
SB 38	93
SB 41	38
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SB 47	94
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SB 52	234
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SB 55	190
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SB 195	300
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SB 312	410
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SB 423	419
SB 426	311
SB 429	355

5/04 TRANSMITTED TO GOVERNOR
5/13 VETOED BY GOVERNOR
5/13 VETO OVERRIDE VOTE MAIL POLL LETTER BEING PREPARED
5/19 VETO OVERRIDE VOTE MAIL POLL IN PROGRESS
6/20 VETO OVERRIDE FAILED IN LEGISLATURE

SB 359 INTRODUCED BY CAFERRO *LC0694 DRAFTER: SCURR*

PROVIDE JOBS FOR MONTANA VETERANS

11/12	FISCAL NOTE PROBABLE		
2/15	INTRODUCED		
2/15	FISCAL NOTE REQUESTED		
2/15	REFERRED TO HIGHWAYS AND TRANSPORTATION		
2/17	HEARING		
2/17	COMMITTEE EXEC ACTION—BILL PASSED	10	0
2/19	FISCAL NOTE RECEIVED		
2/21	COMMITTEE REPORT—BILL PASSED		
2/22	FISCAL NOTE PRINTED		
2/22	2ND READING PASSED	28	22
2/22	REREFERRED TO FINANCE AND CLAIMS		
3/10	HEARING		
3/11	TABLED IN COMMITTEE		
3/24	TAKEN FROM TABLE IN COMMITTEE		
3/24	COMMITTEE EXEC ACTION—BILL PASSED AS AMENDED	19	0
3/25	REVISED FISCAL NOTE REQUESTED		
3/25	COMMITTEE REPORT—BILL PASSED AS AMENDED		
3/29	2ND READING PASSED	33	16
3/30	3RD READING PASSED	34	16
	TRANSMITTED TO HOUSE		
3/31	REFERRED TO TRANSPORTATION		
4/01	REVISED FISCAL NOTE RECEIVED		
4/01	REVISED FISCAL NOTE SIGNED		
4/02	REVISED FISCAL NOTE PRINTED		
4/04	HEARING		
4/05	REVISED FISCAL NOTE RECEIVED		
4/07	REVISED FISCAL NOTE PRINTED		
4/07	TABLED IN COMMITTEE		
	DIED IN STANDING COMMITTEE		

SB 360 INTRODUCED BY CAFERRO *LC0989 DRAFTER: MARTIN*

PROVIDE A STATE EARNED INCOME TAX CREDIT

1/26	FISCAL NOTE PROBABLE		
2/15	INTRODUCED		
2/15	FISCAL NOTE REQUESTED		
2/15	REFERRED TO TAXATION		
2/22	FISCAL NOTE RECEIVED		
2/24	FISCAL NOTE PRINTED		
3/08	HEARING		
3/12	TABLED IN COMMITTEE		
3/30	MISSED DEADLINE FOR REVENUE BILL TRANSMITTAL		
	DIED IN STANDING COMMITTEE		

SB 361 INTRODUCED BY RIPLEY *LC0827 DRAFTER: MURDO*

GENERALLY REVISE GAMBLING LAWS

2/10	FISCAL NOTE PROBABLE		
2/15	INTRODUCED		
2/15	REFERRED TO BUSINESS, LABOR, AND ECONOMIC AFFAIRS		
2/18	HEARING		
2/18	COMMITTEE EXEC ACTION—BILL PASSED	11	0
2/18	COMMITTEE REPORT—BILL PASSED		
2/22	2ND READING PASSED AS AMENDED	38	12
2/24	3RD READING PASSED	38	11
	TRANSMITTED TO HOUSE		
3/07	FISCAL NOTE REQUESTED		
3/07	REFERRED TO BUSINESS AND LABOR		
3/09	HEARING		
3/09	FISCAL NOTE RECEIVED		
3/09	FISCAL NOTE PRINTED		
3/10	COMMITTEE EXEC ACTION—BILL CONCURRED	18	3
3/11	COMMITTEE REPORT—BILL CONCURRED		

3/17	2ND READING CONCURRED	79	21
3/18	3RD READING CONCURRED	73	23
	RETURNED TO SENATE		
3/18	SENT TO ENROLLING		
3/21	RETURNED FROM ENROLLING		
3/22	SIGNED BY PRESIDENT		
3/23	SIGNED BY SPEAKER		
3/23	TRANSMITTED TO GOVERNOR		
4/01	SIGNED BY GOVERNOR		
4/01	CHAPTER NUMBER ASSIGNED		
	CHAPTER NUMBER 121		
	EFFECTIVE DATE: 4/01/2011 - ALL SECTIONS		

SB 362 INTRODUCED BY OLSON *LC1266 DRAFTER: CAMPBELL*

REQUIRING HEALTH INSURANCE RATES BE FILED WITH INSURANCE COMMISSIONER FOR REVIEW

2/12	FISCAL NOTE PROBABLE		
2/15	INTRODUCED		
2/15	FISCAL NOTE REQUESTED		
2/15	REFERRED TO PUBLIC HEALTH, WELFARE AND SAFETY		
2/18	HEARING		
2/21	COMMITTEE VOTE FAILED; REMAINS IN COMMITTEE	4	4
3/09	TAKEN FROM COMMITTEE; PLACED ON 2ND READING	34	16
3/10	REREFERRED TO PUBLIC HEALTH, WELFARE AND SAFETY	27	22
3/11	FISCAL NOTE RECEIVED		
3/14	FISCAL NOTE PRINTED		
3/30	MISSED DEADLINE FOR REVENUE BILL TRANSMITTAL		
	DIED IN STANDING COMMITTEE		

SB 363 INTRODUCED BY BRENDEN *LC2145 DRAFTER: THIGPEN*

PROVIDE SURCHARGE ON FWP LAND TRANSACTIONS FOR FUNDING INVASIVE SPECIES

2/14	FISCAL NOTE PROBABLE		
2/15	INTRODUCED		
2/15	FISCAL NOTE REQUESTED		
2/15	REFERRED TO FINANCE AND CLAIMS		
3/01	FISCAL NOTE RECEIVED		
3/03	FISCAL NOTE PRINTED		
3/08	HEARING		
3/09	TABLED IN COMMITTEE		
3/30	MISSED DEADLINE FOR REVENUE BILL TRANSMITTAL		
	DIED IN STANDING COMMITTEE		

SB 364 INTRODUCED BY BRENDEN *LC1826 DRAFTER: EVERTS*

CLARIFY STATE LAND BANKING APPRAISAL PROCESS

2/15	INTRODUCED		
2/15	REFERRED TO NATURAL RESOURCES		
2/16	FISCAL NOTE REQUESTED		
2/18	HEARING		
2/19	FISCAL NOTE RECEIVED		
2/21	FISCAL NOTE PRINTED		
2/21	COMMITTEE EXEC ACTION—BILL PASSED	9	5
2/22	COMMITTEE REPORT—BILL PASSED		
2/23	2ND READING PASS MOTION FAILED	21	29
2/23	2ND READING INDEFINITELY POSTPONED	32	18
2/24	MISSED DEADLINE FOR GENERAL BILL TRANSMITTAL		
	DIED IN PROCESS		

SB 365 INTRODUCED BY LEWIS *LC0688 DRAFTER: BOHYER*

CLARIFY EXPENDITURES SUBJECT TO 12% EXPEND CAP FOR NOXIOUS WEED PROGRAM ADMIN

2/12	FISCAL NOTE PROBABLE
2/15	INTRODUCED
2/15	FISCAL NOTE REQUESTED
2/15	REFERRED TO AGRICULTURE, LIVESTOCK AND IRRIGATION
2/17	HEARING
2/18	FISCAL NOTE RECEIVED
2/19	FISCAL NOTE SIGNED
2/21	FISCAL NOTE PRINTED
2/21	TABLED IN COMMITTEE

SENATE BILL NO. 361

INTRODUCED BY R. RIPLEY

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING GAMBLING LAWS; ALLOWING VIDEO LINE GAMES IN LICENSED ESTABLISHMENTS; PROVIDING CONDITIONS FOR OPERATION OF VIDEO LINE GAMES; PROHIBITING ADVERTISING OR PROMOTION OF GAMES NOT SPECIFICALLY AUTHORIZED; PROHIBITING MANUFACTURERS FROM CHARGING CERTAIN GAME FEES ON A DAILY OR PERIODIC BASIS; AMENDING SECTIONS 23-5-602, 23-5-603, 23-5-607, 23-5-608, 23-5-611, AND 23-5-621, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 23-5-602, MCA, is amended to read:

"23-5-602. Definitions. As used in this part, the following definitions apply:

(1) "Associated equipment" means all proprietary devices, machines, or parts used in the manufacture or maintenance of a video gambling machine, including but not limited to integrated circuit chips, printed wired assembly, printed wired boards, printing mechanisms, video display monitors, metering devices, and cabinetry.

(2) (a) "Bingo machine" means an electronic video gambling machine that, upon insertion of cash, is available to play bingo, as defined by rules of the department. The machine uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed for cash.

(b) The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(3) (a) "Bonus game" means a game other than a bingo, poker, ~~or~~ keno, or video line game that is offered as a prize for playing and achieving a ~~win~~ defined outcome by playing a bingo, poker, ~~or~~ keno, or video line game. The term includes a game that allows a player to win free credits, free games, or a multiplier of credits already won or to move to an accelerated pay table for the play of ~~poker,~~ a bingo, poker, ~~or~~ keno, or video line game. A bonus game must make available to the player a display of the rules for the bonus game.

(b) The term does not include a game that allows the player to wager money or credits on the game or to lose money or credits already won. The term does not include a game by which the bonus game would become

the predominant game rather than a bingo, poker, ~~or~~ keno, or video line game. The department shall by administrative rule define the conditions that would cause a bonus game to be the predominant game. The term does not include a game that displays or simulates a gambling activity that is not legal under state law.

(4) "Electronically captured data" means video gambling machine accounting information and records of video gambling machine events, in electronic form, that are automatically recorded and communicated to the department through an approved automated accounting and reporting system.

(5) "Gross income" means money put into a video gambling machine minus credits paid out in cash.

(6) (a) "Keno machine" means an electronic video gambling machine that, upon insertion of cash, is available to play keno, as defined by rules of the department. The machine uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed for cash.

(b) The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(7) "Licensed machine owner" means a licensed operator or route operator who owns a video gambling machine for which a permit has been issued by the department.

(8) "Multigame" means a combination of at least two or more approved bingo, poker, keno, or video line games within the same video gambling machine cabinet if the video gambling machine cabinet has been approved by the department.

~~(8)~~(9) "Permitholder" means a licensed operator on whose premises is located one or more video gambling machines for which a permit has been issued by the department.

~~(9)~~(10) (a) "Poker machine" means an electronic video gambling machine that, upon insertion of cash, is available to play or simulate the play of the game of draw poker, 5-card stud, 7-card stud, or hold 'em, as defined by rules of the department. The machine uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed for cash.

(b) The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(11) (a) "Video line game" means a video line game as defined by rules of the department and approved by the department. A video line game uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed

for cash.

(b) The term does not include a game played on a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value."

Section 2. Section 23-5-603, MCA, is amended to read:

"23-5-603. Video gambling machines -- possession -- play -- restriction. (1) A licensed operator may make available for public play only the number of approved video gambling machines specifically authorized by this part.

(2) The video gambling machines specifically authorized by this part are bingo, poker, keno, ~~and draw poker~~, video line, and multigame video gambling machines. Only the number of approved machines for which permits have been granted under 23-5-612 may be made available for play by the public on the premises of a licensed operator. The department shall adopt rules allowing a video gambling machine that needs repair to be temporarily replaced while it is being repaired with a video gambling machine that is approved under the permit provisions of this part. A fee may not be charged for the replacement machine.

(3) A video line game approved by the department for play must be made available to any licensed gambling operator who possesses a compatible video gambling machine cabinet made by the same manufacturer.

(4) A manufacturer may not charge a fee for the use of a bingo, poker, keno, video line, or multigame video gambling machine on a daily basis or any other periodic basis.

(5) A licensed operator, distributor, or manufacturer is prohibited from referencing games not authorized under this title in advertising, promoting, or inducing play of a video gambling machine. The department shall further define by rule what advertising is allowed under this subsection.

~~(3)~~(6) Machines on premises appropriately licensed to sell alcoholic beverages for on-premises consumption, as provided in 23-5-119, must be placed:

(a) in a room, area, or other part of the premises in which alcoholic beverages are sold or consumed; and

(b) within control of the operator for the purpose of preventing access to the machines by persons under 18 years of age."

Section 3. Section 23-5-607, MCA, is amended to read:

"23-5-607. Expected payback -- verification. (1) The department shall prescribe the expected payback value of ~~one~~ credit awarded to be at least 80% of the value of ~~one~~ credit played for each bingo, poker, keno, and video line game in a video gambling machine. The credit ratio may not be greater than 92% for each video line game.

(2) Each video gambling machine must have an electronic accounting device that the department may use to verify the winning percentage."

Section 4. Section 23-5-608, MCA, is amended to read:

"23-5-608. Limitation on amount of money played and value of prizes -- payment of credits in cash. (1) A video gambling machine may not allow more than $2 to be played on a game or award free games or credits in excess of ~~the following amounts:~~

~~(a) $800 a game for a video draw poker machine; and~~

~~(b)~~ $800 a game ~~for a video keno or bingo machine~~.

(2) A licensee shall pay in cash all credits owed to a player as shown on a valid ticket voucher."

Section 5. Section 23-5-611, MCA, is amended to read:

"23-5-611. Machine permit qualifications -- limitations. (1) (a) A person who has been granted an operator's license under 23-5-177 and who holds an appropriate license to sell alcoholic beverages for consumption on the premises as provided in 23-5-119 may be granted a permit for the placement of video gambling machines on the person's premises.

(b) If video keno or bingo gambling machines were legally operated on a premises on January 15, 1989, and the premises were not on that date licensed to sell alcoholic beverages for consumption on the premises or operated for the principal purpose of gaming and there is an operator's license for the premises under 23-5-177, a permit for the same number of ~~video keno, bingo, or combination poker-keno-bingo~~ multigame gambling machines as were operated on the premises on that date may be granted to the person who held the permit for ~~such~~ that number of machines on those premises on that date.

(c) A person who legally operated an establishment on January 15, 1989, for the principal purpose of gaming and has been granted an operator's license under 23-5-177 may be granted a permit for the placement of ~~video~~ bingo, poker, keno, ~~bingo,~~ video line, or ~~combination poker-keno-bingo~~ multigame video gambling machines on the person's premises.

(2) An applicant for a permit shall disclose on the application form to the department any information required by the department consistent with the provisions of 23-5-176.

(3) A licensee may not have on the premises or make available for play on the premises more than 20 machines of any combination."

Section 6. Section 23-5-621, MCA, is amended to read:

"23-5-621. Rules. (1) The department shall adopt rules that:

(a) implement 23-5-637;

(b) describe the video gambling machines authorized by this part and state the specifications for video gambling machines authorized by this part, including a description of the images and the minimum area of a screen that depicts a bingo, poker, ~~or~~ keno, or video line game;

(c) allow video gambling machines to be imported into this state and used for the purposes of trade shows, exhibitions, and similar activities;

(d) allow each video gambling machine to offer any combination of approved bingo, poker, keno, ~~and bingo~~ and video line games within the same video gambling machine cabinet if the owner of the video gambling machine has received approval to report video gambling machine information ~~utilizing~~ using an approved automated accounting and reporting system or has entered into an agreement with the department to ~~utilize~~ use an approved automated accounting and reporting system;

(e) allow, on an individual license basis, licensed machine owners and operators of machines that ~~utilize~~ use an approved automated accounting and reporting system to:

(i) electronically acquire and use for an individual licensed premises the information and data collected for business management, accounting, and payroll purposes~~; however,~~. However, the rules must specify that the data made available as a result of an approved automated accounting and reporting system may not be used by licensees for player tracking purposes; and

(ii) acquire and use, at the expense of a licensee, a department-approved site controller;

(f) minimize, whenever possible, the recordkeeping and retention requirements for video gambling machines that ~~utilize~~ use an approved automated accounting and reporting system.

(2) The department's rules for an approved automated accounting and reporting system must, at a minimum:

(a) provide for confidentiality of information received through the approved automated accounting and

reporting system within the limits prescribed by 23-5-115(8) and 23-5-116;

(b) prescribe specifications for maintaining the security and integrity of the approved automated accounting and reporting system;

(c) limit and prescribe the circumstances for electronic issuance of video gambling machine permits and electronic transfer of funds for payment of taxes, fees, or penalties to the department;

(d) describe specifications and a review and testing process for approved automated accounting and reporting systems to be ~~utilized~~ used by licensed operators, including the requirements for electronically captured data; and

(e) prescribe the frequency of reporting from an approved automated accounting and reporting system and provide exceptions for geographically isolated video gambling operators."

NEW SECTION. **Section 7. Effective date.** [This act] is effective on passage and approval and applies to the operation of video line games on or after January 1, 2012.

- END -

SENATE BILL NO. 361

INTRODUCED BY R. RIPLEY, KLOCK, ZINKE, BUTTREY, OLSON

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING GAMBLING LAWS; ALLOWING VIDEO LINE GAMES IN LICENSED ESTABLISHMENTS; PROVIDING CONDITIONS FOR OPERATION OF VIDEO LINE GAMES; PROHIBITING ADVERTISING OR PROMOTION OF GAMES NOT SPECIFICALLY AUTHORIZED; PROHIBITING MANUFACTURERS FROM CHARGING CERTAIN GAME FEES ON A DAILY OR PERIODIC BASIS; AMENDING SECTIONS 23-5-602, 23-5-603, 23-5-607, 23-5-608, 23-5-611, AND 23-5-621, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 23-5-602, MCA, is amended to read:

"23-5-602. Definitions. As used in this part, the following definitions apply:

(1) "Associated equipment" means all proprietary devices, machines, or parts used in the manufacture or maintenance of a video gambling machine, including but not limited to integrated circuit chips, printed wired assembly, printed wired boards, printing mechanisms, video display monitors, metering devices, and cabinetry.

(2) (a) "Bingo machine" means an electronic video gambling machine that, upon insertion of cash, is available to play bingo, as defined by rules of the department. The machine uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed for cash.

(b) The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(3) (a) "Bonus game" means a game other than a bingo, poker, ~~or~~ keno, or video line game that is offered as a prize for playing and achieving a ~~win~~ defined outcome by playing a bingo, poker, ~~or~~ keno, or video line game. The term includes a game that allows a player to win free credits, free games, or a multiplier of credits already won or to move to an accelerated pay table for the play of ~~poker,~~ a bingo, poker, ~~or~~ keno, or video line game. A bonus game must make available to the player a display of the rules for the bonus game.

(b) The term does not include a game that allows the player to wager money or credits on the game or to lose money or credits already won. The term does not include a game by which the bonus game would become

the predominant game rather than a bingo, poker, ~~or~~ keno, or video line game. The department shall by administrative rule define the conditions that would cause a bonus game to be the predominant game. The term does not include a game that displays or simulates a gambling activity that is not legal under state law.

(4) "Electronically captured data" means video gambling machine accounting information and records of video gambling machine events, in electronic form, that are automatically recorded and communicated to the department through an approved automated accounting and reporting system.

(5) "Gross income" means money put into a video gambling machine minus credits paid out in cash.

(6) (a) "Keno machine" means an electronic video gambling machine that, upon insertion of cash, is available to play keno, as defined by rules of the department. The machine uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed for cash.

(b) The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(7) "Licensed machine owner" means a licensed operator or route operator who owns a video gambling machine for which a permit has been issued by the department.

(8) "Multigame" means a combination of at least two or more approved TYPES OF GAMES, INCLUDING bingo, poker, keno, or video line games, within the same video gambling machine cabinet if the video gambling machine cabinet has been approved by the department.

~~(8)~~(9) "Permitholder" means a licensed operator on whose premises is located one or more video gambling machines for which a permit has been issued by the department.

~~(9)~~(10) (a) "Poker machine" means an electronic video gambling machine that, upon insertion of cash, is available to play or simulate the play of the game of draw poker, 5-card stud, 7-card stud, or hold 'em, as defined by rules of the department. The machine uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed for cash.

(b) The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(11) (a) "Video line game" means a video line game as defined by rules of the department and approved by the department. A video line game uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed

for cash. VIDEO LINE GAMES MAY BE OFFERED ONLY IN A MULTIGAME VIDEO GAMBLING MACHINE CABINET.

(b) The term does not include a game played on a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value."

Section 2. Section 23-5-603, MCA, is amended to read:

"23-5-603. Video gambling machines -- possession -- play -- restriction. (1) A licensed operator may make available for public play only the number of approved video gambling machines specifically authorized by this part.

(2) The video gambling machines specifically authorized by this part are bingo, poker, keno, ~~and draw poker~~, video line, and multigame video gambling machines. Only the number of approved machines for which permits have been granted under 23-5-612 may be made available for play by the public on the premises of a licensed operator. The department shall adopt rules allowing a video gambling machine that needs repair to be temporarily replaced while it is being repaired with a video gambling machine that is approved under the permit provisions of this part. A fee may not be charged for the replacement machine.

(3) A video line game approved by the department for play must be made available to any licensed ~~gambling operator who possesses a compatible video gambling machine cabinet made by the same manufacturer~~ MACHINE OWNER.

(4) A manufacturer may not charge a fee for the use of a bingo, poker, keno, video line, or multigame video gambling machine on a daily basis or any other periodic basis.

(5) A licensed operator, distributor, ROUTE OPERATOR, or manufacturer is prohibited from referencing games not authorized under this title in advertising, promoting, or inducing play of a video gambling machine. The department shall further define by rule what advertising is allowed under this subsection.

~~(3)~~(6) Machines on premises appropriately licensed to sell alcoholic beverages for on-premises consumption, as provided in 23-5-119, must be placed:

(a) in a room, area, or other part of the premises in which alcoholic beverages are sold or consumed; and

(b) within control of the operator for the purpose of preventing access to the machines by persons under 18 years of age."

Section 3. Section 23-5-607, MCA, is amended to read:

"23-5-607. Expected payback -- verification. (1) The department shall prescribe the expected payback value of ~~one~~ credit awarded to be at least 80% of the value of ~~one~~ credit played for each bingo, poker, keno, and video line game in a video gambling machine. The credit ratio may not be greater than 92% for each video line game.

(2) Each video gambling machine must have an electronic accounting device that the department may use to verify the winning percentage."

Section 4. Section 23-5-608, MCA, is amended to read:

"23-5-608. Limitation on amount of money played and value of prizes -- payment of credits in cash. (1) A video gambling machine may not allow more than $2 to be played on a game or award free games or credits in excess of ~~the following amounts:~~

~~(a) $800 a game for a video draw poker machine; and~~

~~(b)~~ $800 a game ~~for a video keno or bingo machine~~.

(2) A licensee shall pay in cash all credits owed to a player as shown on a valid ticket voucher."

Section 5. Section 23-5-611, MCA, is amended to read:

"23-5-611. Machine permit qualifications -- limitations. (1) (a) A person who has been granted an operator's license under 23-5-177 and who holds an appropriate license to sell alcoholic beverages for consumption on the premises as provided in 23-5-119 may be granted a permit for the placement of video gambling machines on the person's premises.

(b) If video keno or bingo gambling machines were legally operated on a premises on January 15, 1989, and the premises were not on that date licensed to sell alcoholic beverages for consumption on the premises or operated for the principal purpose of gaming and there is an operator's license for the premises under 23-5-177, a permit for the same number of ~~video keno, bingo, or combination poker-keno-bingo~~ multigame gambling machines as were operated on the premises on that date may be granted to the person who held the permit for ~~such~~ that number of machines on those premises on that date.

(c) A person who legally operated an establishment on January 15, 1989, for the principal purpose of gaming and has been granted an operator's license under 23-5-177 may be granted a permit for the placement of ~~video~~ bingo, poker, keno, ~~bingo,~~ video line, or ~~combination poker-keno-bingo~~ multigame video gambling machines on the person's premises.

(2) An applicant for a permit shall disclose on the application form to the department any information required by the department consistent with the provisions of 23-5-176.

(3) A licensee may not have on the premises or make available for play on the premises more than 20 machines of any combination."

Section 6. Section 23-5-621, MCA, is amended to read:

"23-5-621. Rules. (1) The department shall adopt rules that:

(a) implement 23-5-637;

(b) describe the video gambling machines authorized by this part and state the specifications for video gambling machines authorized by this part, including a description of the images and the minimum area of a screen that depicts a bingo, poker, ~~or~~ keno, or video line game;

(c) allow video gambling machines to be imported into this state and used for the purposes of trade shows, exhibitions, and similar activities;

(d) allow each video gambling machine to offer any combination of approved bingo, poker, keno, ~~and bingo~~ and video line games within the same video gambling machine cabinet if the owner of the video gambling machine has received approval to report video gambling machine information ~~utilizing~~ using an approved automated accounting and reporting system or has entered into an agreement with the department to ~~utilize~~ use an approved automated accounting and reporting system;

(e) allow, on an individual license basis, licensed machine owners and operators of machines that ~~utilize~~ use an approved automated accounting and reporting system to:

(i) electronically acquire and use for an individual licensed premises the information and data collected for business management, accounting, and payroll purposes~~; however,~~. However, the rules must specify that the data made available as a result of an approved automated accounting and reporting system may not be used by licensees for player tracking purposes; and

(ii) acquire and use, at the expense of a licensee, a department-approved site controller;

(f) minimize, whenever possible, the recordkeeping and retention requirements for video gambling machines that ~~utilize~~ use an approved automated accounting and reporting system.

(2) The department's rules for an approved automated accounting and reporting system must, at a minimum:

(a) provide for confidentiality of information received through the approved automated accounting and

reporting system within the limits prescribed by 23-5-115(8) and 23-5-116;

(b) prescribe specifications for maintaining the security and integrity of the approved automated accounting and reporting system;

(c) limit and prescribe the circumstances for electronic issuance of video gambling machine permits and electronic transfer of funds for payment of taxes, fees, or penalties to the department;

(d) describe specifications and a review and testing process for approved automated accounting and reporting systems to be ~~utilized~~ used by licensed operators, including the requirements for electronically captured data; and

(e) prescribe the frequency of reporting from an approved automated accounting and reporting system and provide exceptions for geographically isolated video gambling operators."

NEW SECTION. **Section 7. Effective date.** [This act] is effective on passage and approval and applies to the operation of video line games on or after January 1, 2012.

- END -

AN ACT GENERALLY REVISING GAMBLING LAWS; ALLOWING VIDEO LINE GAMES IN LICENSED ESTABLISHMENTS; PROVIDING CONDITIONS FOR OPERATION OF VIDEO LINE GAMES; PROHIBITING ADVERTISING OR PROMOTION OF GAMES NOT SPECIFICALLY AUTHORIZED; PROHIBITING MANUFACTURERS FROM CHARGING CERTAIN GAME FEES ON A DAILY OR PERIODIC BASIS; AMENDING SECTIONS 23-5-602, 23-5-603, 23-5-607, 23-5-608, 23-5-611, AND 23-5-621, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 23-5-602, MCA, is amended to read:

"23-5-602. Definitions. As used in this part, the following definitions apply:

(1) "Associated equipment" means all proprietary devices, machines, or parts used in the manufacture or maintenance of a video gambling machine, including but not limited to integrated circuit chips, printed wired assembly, printed wired boards, printing mechanisms, video display monitors, metering devices, and cabinetry.

(2) (a) "Bingo machine" means an electronic video gambling machine that, upon insertion of cash, is available to play bingo, as defined by rules of the department. The machine uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed for cash.

(b) The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(3) (a) "Bonus game" means a game other than a bingo, poker, ~~or~~ keno, or video line game that is offered as a prize for playing and achieving a ~~win~~ defined outcome by playing a bingo, poker, ~~or~~ keno, or video line game. The term includes a game that allows a player to win free credits, free games, or a multiplier of credits already won or to move to an accelerated pay table for the play of ~~poker,~~ a bingo, poker, ~~or~~ keno, or video line game. A bonus game must make available to the player a display of the rules for the bonus game.

(b) The term does not include a game that allows the player to wager money or credits on the game or

to lose money or credits already won. The term does not include a game by which the bonus game would become the predominant game rather than a bingo, poker, ~~or~~ keno, or video line game. The department shall by administrative rule define the conditions that would cause a bonus game to be the predominant game. The term does not include a game that displays or simulates a gambling activity that is not legal under state law.

(4) "Electronically captured data" means video gambling machine accounting information and records of video gambling machine events, in electronic form, that are automatically recorded and communicated to the department through an approved automated accounting and reporting system.

(5) "Gross income" means money put into a video gambling machine minus credits paid out in cash.

(6) (a) "Keno machine" means an electronic video gambling machine that, upon insertion of cash, is available to play keno, as defined by rules of the department. The machine uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed for cash.

(b) The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(7) "Licensed machine owner" means a licensed operator or route operator who owns a video gambling machine for which a permit has been issued by the department.

(8) "Multigame" means a combination of at least two or more approved types of games, including bingo, poker, keno, or video line games, within the same video gambling machine cabinet if the video gambling machine cabinet has been approved by the department.

~~(8)~~(9) "Permitholder" means a licensed operator on whose premises is located one or more video gambling machines for which a permit has been issued by the department.

~~(9)~~(10) (a) "Poker machine" means an electronic video gambling machine that, upon insertion of cash, is available to play or simulate the play of the game of draw poker, 5-card stud, 7-card stud, or hold 'em, as defined by rules of the department. The machine uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed for cash.

(b) The term does not include a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value.

(11) (a) "Video line game" means a video line game as defined by rules of the department and approved

by the department. A video line game uses a video display and microprocessors and, by the skill of the player, by chance, or by both, allows the player to receive free games, bonus games, or credits that may be redeemed for cash. Video line games may be offered only in a multigame video gambling machine cabinet.

(b) The term does not include a game played on a slot machine or a machine that directly dispenses coins, cash, tokens, or anything else of value."

Section 2. Section 23-5-603, MCA, is amended to read:

"23-5-603. Video gambling machines -- possession -- play -- restriction. (1) A licensed operator may make available for public play only the number of approved video gambling machines specifically authorized by this part.

(2) The video gambling machines specifically authorized by this part are bingo, poker, keno, ~~and draw poker~~, video line, and multigame video gambling machines. Only the number of approved machines for which permits have been granted under 23-5-612 may be made available for play by the public on the premises of a licensed operator. The department shall adopt rules allowing a video gambling machine that needs repair to be temporarily replaced while it is being repaired with a video gambling machine that is approved under the permit provisions of this part. A fee may not be charged for the replacement machine.

(3) A video line game approved by the department for play must be made available to any licensed machine owner.

(4) A manufacturer may not charge a fee for the use of a bingo, poker, keno, video line, or multigame video gambling machine on a daily basis or any other periodic basis.

(5) A licensed operator, distributor, route operator, or manufacturer is prohibited from referencing games not authorized under this title in advertising, promoting, or inducing play of a video gambling machine. The department shall further define by rule what advertising is allowed under this subsection.

~~(3)~~(6) Machines on premises appropriately licensed to sell alcoholic beverages for on-premises consumption, as provided in 23-5-119, must be placed:

(a) in a room, area, or other part of the premises in which alcoholic beverages are sold or consumed; and

(b) within control of the operator for the purpose of preventing access to the machines by persons under 18 years of age."

Section 3. Section 23-5-607, MCA, is amended to read:

"23-5-607. Expected payback -- verification. (1) The department shall prescribe the expected payback value of ~~one~~ credit awarded to be at least 80% of the value of ~~one~~ credit played for each bingo, poker, keno, and video line game in a video gambling machine. The credit ratio may not be greater than 92% for each video line game.

(2) Each video gambling machine must have an electronic accounting device that the department may use to verify the winning percentage."

Section 4. Section 23-5-608, MCA, is amended to read:

"23-5-608. Limitation on amount of money played and value of prizes -- payment of credits in cash. (1) A video gambling machine may not allow more than $2 to be played on a game or award free games or credits in excess of ~~the following amounts:~~

~~(a) $800 a game for a video draw poker machine; and~~

~~(b)~~ $800 a game ~~for a video keno or bingo machine~~.

(2) A licensee shall pay in cash all credits owed to a player as shown on a valid ticket voucher."

Section 5. Section 23-5-611, MCA, is amended to read:

"23-5-611. Machine permit qualifications -- limitations. (1) (a) A person who has been granted an operator's license under 23-5-177 and who holds an appropriate license to sell alcoholic beverages for consumption on the premises as provided in 23-5-119 may be granted a permit for the placement of video gambling machines on the person's premises.

(b) If video keno or bingo gambling machines were legally operated on a premises on January 15, 1989, and the premises were not on that date licensed to sell alcoholic beverages for consumption on the premises or operated for the principal purpose of gaming and there is an operator's license for the premises under 23-5-177, a permit for the same number of ~~video keno, bingo, or combination poker-keno-bingo~~ multigame gambling machines as were operated on the premises on that date may be granted to the person who held the permit for ~~such~~ that number of machines on those premises on that date.

(c) A person who legally operated an establishment on January 15, 1989, for the principal purpose of

gaming and has been granted an operator's license under 23-5-177 may be granted a permit for the placement of ~~video~~ bingo, poker, keno, ~~bingo,~~ video line, or ~~combination poker-keno-bingo~~ multigame video gambling machines on the person's premises.

(2) An applicant for a permit shall disclose on the application form to the department any information required by the department consistent with the provisions of 23-5-176.

(3) A licensee may not have on the premises or make available for play on the premises more than 20 machines of any combination."

Section 6. Section 23-5-621, MCA, is amended to read:

"23-5-621. Rules. (1) The department shall adopt rules that:

(a) implement 23-5-637;

(b) describe the video gambling machines authorized by this part and state the specifications for video gambling machines authorized by this part, including a description of the images and the minimum area of a screen that depicts a bingo, poker, ~~or~~ keno, or video line game;

(c) allow video gambling machines to be imported into this state and used for the purposes of trade shows, exhibitions, and similar activities;

(d) allow each video gambling machine to offer any combination of approved bingo, poker, keno, ~~and bingo~~ and video line games within the same video gambling machine cabinet if the owner of the video gambling machine has received approval to report video gambling machine information ~~utilizing~~ using an approved automated accounting and reporting system or has entered into an agreement with the department to ~~utilize~~ use an approved automated accounting and reporting system;

(e) allow, on an individual license basis, licensed machine owners and operators of machines that ~~utilize~~ use an approved automated accounting and reporting system to:

(i) electronically acquire and use for an individual licensed premises the information and data collected for business management, accounting, and payroll purposes~~; however,~~. However, the rules must specify that the data made available as a result of an approved automated accounting and reporting system may not be used by licensees for player tracking purposes; and

(ii) acquire and use, at the expense of a licensee, a department-approved site controller;

(f) minimize, whenever possible, the recordkeeping and retention requirements for video gambling

machines that ~~utilize~~ use an approved automated accounting and reporting system.

(2) The department's rules for an approved automated accounting and reporting system must, at a minimum:

(a) provide for confidentiality of information received through the approved automated accounting and reporting system within the limits prescribed by 23-5-115(8) and 23-5-116;

(b) prescribe specifications for maintaining the security and integrity of the approved automated accounting and reporting system;

(c) limit and prescribe the circumstances for electronic issuance of video gambling machine permits and electronic transfer of funds for payment of taxes, fees, or penalties to the department;

(d) describe specifications and a review and testing process for approved automated accounting and reporting systems to be ~~utilized~~ used by licensed operators, including the requirements for electronically captured data; and

(e) prescribe the frequency of reporting from an approved automated accounting and reporting system and provide exceptions for geographically isolated video gambling operators."

Section 7. Effective date. [This act] is effective on passage and approval and applies to the operation of video line games on or after January 1, 2012.

- END -

I hereby certify that the within bill,

SB 0361, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day

of _____, 2011.

Speaker of the House

Signed this _____ day

of _____, 2011.

SENATE BILL NO. 361

INTRODUCED BY R. RIPLEY, KLOCK, ZINKE, BUTTREY, OLSON

AN ACT GENERALLY REVISING GAMBLING LAWS; ALLOWING VIDEO LINE GAMES IN LICENSED ESTABLISHMENTS; PROVIDING CONDITIONS FOR OPERATION OF VIDEO LINE GAMES; PROHIBITING ADVERTISING OR PROMOTION OF GAMES NOT SPECIFICALLY AUTHORIZED; PROHIBITING MANUFACTURERS FROM CHARGING CERTAIN GAME FEES ON A DAILY OR PERIODIC BASIS; AMENDING SECTIONS 23-5-602, 23-5-603, 23-5-607, 23-5-608, 23-5-611, AND 23-5-621, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

GOVERNOR'S OFFICE OF BUDGET AND PROGRAM PLANNING

Fiscal Note 2013 Biennium

Bill #	SB0361	**Title:**	Generally revise gambling laws
Primary Sponsor:	Ripley, Rick	**Status:**	As Amended

☐ Significant Local Gov Impact ☐ Needs to be included in HB 2 ☐ Technical Concerns

☐ Included in the Executive Budget ☐ Significant Long-Term Impacts ☐ Dedicated Revenue Form Attached

FISCAL SUMMARY

	FY 2012 Difference	FY 2013 Difference	FY 2014 Difference	FY 2015 Difference
Expenditures:				
General Fund	$0	$0	$0	$0
State Special Revenue	$0	$0	$0	$0
Revenue:				
General Fund	$1,500,000	$4,700,000	$4,790,000	$4,880,000
State Special Revenue	$13,500	$67,500	$72,000	$72,000
Net Impact-General Fund Balance:	$1,500,000	$4,700,000	$4,790,000	$4,880,000

Description of fiscal impact: The passage of SB 361 would result in an increase in revenue to the general fund, gambling state special revenue, and local government.

FISCAL ANALYSIS

Assumptions:

Department of Justice

Gambling Control Division

1. It is assumed that if this bill is passed, Montana's experience will be similar to Oregon. The smoking ban in Oregon was effective January 1, 2009. The Oregon Lottery began implementing line games in May 2005.
2. For comparison purposes, FY 2010 is the first year in which both Montana and Oregon implemented a smoking ban. Montana experienced a 15.6% decrease in video gambling machine (VGM) revenue in FY 2010. In comparison, Oregon experienced a 10% decrease in video lottery net sales in FY 2010. It is assumed the difference is attributed to legalization and operation of video line games in Oregon.

Therefore, it is assumed that Montana would see a 5.6% increase in revenue due to the legalization of video line games for the first year and a half.

3. A 2% growth rate is assumed for each fiscal year absent the implementation of video line games. If this bill passes, it is assumed video line games would be operated effective January 1, 2012. For the second half of FY 2012 and all of FY 2013, a 7.6% growth rate is assumed. A 2% growth rate is assumed for FY 2014 and FY 2015.
4. Montana collected $52,388,933 in VGM tax in FY 2010. It is assumed that in FY 2011, approximately $53.4 million in VGM tax will be collected. It is assumed in the first half of FY 2012, approximately $27.2 million in VGM tax will be collected. It is assumed that after the implementation of video line games, the second half of FY 2012 will collect $28.7 which is a $1.5 million dollar increase attributed to video line games. It is assumed that in FY 2013, $60.3 million in VGM tax will be collected. Of that increase, approximately $4.7 million is attributed to video line games. In FY 2014, it is assumed that $61.5 million in VGM tax will be collected. Of that increase, approximately $4.79 million is attributed to video line games. In FY 2015, it is assumed that $62.7 million in VGM tax will be collected. Of that increase, approximately $4.88 million is attributed to video line games. VGM tax is distributed to the general fund.
5. It is assumed there will be additional VGM machines permitted as a result of the passage of this bill. It is assumed there will be 150 new permits issued in the third quarter of FY 2012 and 150 new permits issued in the fourth quarter of FY 2012. This will result in an increase of $13,500 in state special revenue in FY 2012 [(150 permits*$60=$9,000) + (150 permits*$30=$4,500)] and an increase of $11,250 for local governments in FY 2012 [(150 permits*$50=$7,500) + (150 permits*$25=$3,750].
6. It is assumed there will be 450 new permits issued in the first quarter of FY 2013 and 150 new permits issued in the second quarter of FY 2013. This will result in an increase of $67,500 in state special revenue in FY 2013 [(450 permits*$120=$54,000) + (150 permits*$90=$13,500] and an increase of $56,250 for local governments in FY 2013 [(450 permits*$100=$45,000) + (150 permits*$75=$11,250)].
7. It is assumed the 600 new permits issued in FY 2013 will be renewed in FY 2014 and FY 2015 resulting in an increase of $72,000 in state special revenue [600 permits*$120=$72,000] and $60,000 for local government [600 permits*$100=$60,000] in FY 2014 and FY 2015.

	FY 2012 Difference	FY 2013 Difference	FY 2014 Difference	FY 2015 Difference
Fiscal Impact:				
Expenditures:				
Operating Expenses	$0	$0	$0	$0
Funding of Expenditures:				
General Fund (01)	$0	$0	$0	$0
State Special Revenue (02)	$0	$0	$0	$0
TOTAL Funding of Exp.	$0	$0	$0	$0
Revenues:				
General Fund (01)	$1,500,000	$4,700,000	$4,790,000	$4,880,000
State Special Revenue (02)	$13,500	$67,500	$72,000	$72,000
TOTAL Revenues	$1,513,500	$4,767,500	$4,862,000	$4,952,000
Net Impact to Fund Balance (Revenue minus Funding of Expenditures):				
General Fund (01)	$1,500,000	$4,700,000	$4,790,000	$4,880,000
State Special Revenue (02)	$13,500	$67,500	$72,000	$72,000

Effect on County or Other Local Revenues or Expenditures:

1. Local governments will see an increase in revenues. The estimated increases, base on the assumptions above, are $11,250/FY 2012, $56,250/FY 2013, $60,000/FY 2014, and $60,000/FY 2015.

Sponsor's Initials	*Date*	*Budget Director's Initials*	*Date*

MINUTES

MONTANA SENATE
62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Joe Balyeat, on February 18, 2011 at 9:00 A.M., in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chair (R)
Sen. Verdell Jackson, Vice Chair (R)
Sen. Tom Facey (D)
Sen. Frederick (Eric) Moore (R)
Sen. Carmine Mowbray (R)
Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Mitch Tropila (D)
Sen. Gene Vuckovich (D)

Members Excused: Sen. Bruce Tutvedt (R)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:	SB 341, 2/15/2011; SB 342, 2/15/2011; SB 352, 2/15/2011 SB 361, 2/15/2011
Executive Action:	SB 342, Do Pass As Amended; SB 361, Do Pass; SB 352, Do Pass As Amended; SB 341, Do Pass As Amended; SB 264, Tabled; SB 294, Do Pass As Amended, SB 102 Tabled.

HEARING ON SB 361

Opening Statement by Sponsor:

00:00:58 Sen. Rick Ripley (R), SD 9, opened the hearing on SB 361, Generally revise gambling laws.

Proponents' Testimony:

00:02:27 Neil Peterson, Gaming Industry Association of Montana (GIAM)
00:03:23 Ronda Wiggers, Montana Coin Machine Operators
00:05:26 Tim Carson, Grand Vision Gaming, Billings
00:06:12 Darrell Keck, Steakhouse Lounge and Casino, Shelby
00:06:52 Clint Lohman, Rocky Mountain Gaming, Bpzeman; Lohman Gaming, Glendive
00:07:32 Mark Staples, Montana Tavern Association

Opponents' Testimony: None

Informational Testimony:

00:08:02 Rick Ask, Division Administrator, Gambling Control Division, Department of Justice (DOJ)

Questions from Committee Members and Responses:

00:08:42 Chairman Balyeat
00:08:50 Ms. Wiggers
EXHIBIT(bus40a01)
00:09:08 Sen. Facey
00:09:12 Mr. Peterson, GIAM

Closing by Sponsor:

00:09:48 Sen. Ripley

HEARING ON SB 352

Opening Statement by Sponsor:

00:10:49 Sen. Donald Steinbeisser (R), SD 19, opened the hearing on SB 352, Allow adverse driving record use in setting auto insurance risk classifications.

Proponents' Testimony:

00:12:59 Jacqueline Lenmark, American Insurance Association (AIA); Insurance Service Incorporated (ISI)
EXHIBIT(bus40a02)
00:17:58 Dwight Easton, Farmers Insurance Group of Companies

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:18:33 Chairman Balyeat
00:18:37 Ms. Lenmark, AIA
00:18:55 Sen. Mowbray
00:19:17 Ms. Lenmark

Closing by Sponsor:

00:20:02 Sen. Steinbeisser

00:20:14 Sen. Facey
00:21:08 Chairman Balyeat

HEARING ON SB 341

Opening Statement by Sponsor:

00:21:24 Sen. Frederick (Eric) Moore (R), SD 20, opened the hearing on SB 341, Revise certain unemployment insurance charges to employers.

Proponents' Testimony:

00:26:37 Errol Rice, Montana Stockgrowers Association (MSA)
EXHIBIT(bus40a03)

Opponents' Testimony:

00:28:17 Roy Mulvaney, Administrator, Unemployment Insurance Division, Department of Labor and Industry (DOLI)
00:31:22 Chris Cavazos, Political Director, Montana State American Federation of Labor-Congress of International Organizations (AFL-CIO)
00:32:06 Keith Allen, International Brotherhood of Electrical Workers (IBEW) #233

Informational Testimony: None

Questions from Committee Members and Responses:

00:33:55 Sen. Mowbray
00:34:32 Mr. Mulvaney, DOLI
00:35:19 Sen. Facey
00:37:45 Mr. Mulvaney
00:38:04 Sen. Vuckovich
00:40:32 Sen. Moore
00:41:14 Chairman Balyeat
00:41:33 Sen. Tropila
00:42:28 Mr. Allen, IBEW
00:43:23 Chairman Balyeat

00:46:31 Mr. Mulvaney, redirect question, without objection
00:47:28 Mark Cadwallader, Attorney
00:48:40 Chairman Balyeat

Closing by Sponsor:

00:49:52 Sen. Moore

HEARING ON SB 342

Opening Statement by Sponsor:

00:53:32 Sen. Edward Buttrey (R), SD 13, opened the hearing on SB 342, Define misconduct for unemployment insurance laws.
EXHIBIT(bus40a04)

Proponents' Testimony: None

Opponents' Testimony:

00:57:05 Keith Allen, International Brotherhood of Electrical Workers (IBEW) #233
00:57:29 Chris Cavazos, American Federation of Labor-Congress of Industrial Organizations (AFL-CIO)

Informational Testimony:

00:57:59 Roy Mulvaney, Administrator, Unemployment Division, Department of Labor and Industry (DOLI)
EXHIBIT(bus40a05)

Questions from Committee Members and Responses:

01:00:19 Sen. Facey
01:02:00 Sen. Buttrey
01:02:19 Sen. Jackson
01:04:59 Mr. Allen, IBEW
01:05:07 Sen. Jackson
01:05:13 Sen. Buttrey
01:05:41 Chairman Balyeat
01:07:06 Mr. Mulvaney
01:07:21 Chairman Balyeat
01:07:32 Mr. Cavazos, AFL-CIO
01:07:47 Sen. Facey
01:08:02 Mr. Mulvaney

Closing by Sponsor:

01:08:13 Sen. Buttrey

01:09:00 Sen. Facey
01:09:14 Chairman Balyeat
01:09:28 Ms. Murdo

EXECUTIVE ACTION ON SB 342

01:09:55 **Motion:** Sen. Mowbray moved that **SB 342 DO PASS**.

01:10:09 **Motion**: Chairman Balyeat moved that **SB 342 BE CONCEPTUALLY AMENDED.**

Discussion:

01:10:48 Sen. Mowbray
01:11:24 Ms. Murdo

01:11:53 **Vote:** Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

01:12:00 **Motion/Vote:** Sen. Facey moved that **SB 342 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 102

01:12:27 Chairman Balyeat concluded some unfinished Executive Action from 2/17 by making a motion.

01:12:37 **Motion:** Without objection, Chairman Balyeat moved to place SB 102 back on the table.

EXECUTIVE ACTION ON SB 352

01:13:04 Chairman Balyeat
01:13:08 Ms. Murdo
01:13:24 Sen. Facey
01:13:35 Chairman Balyeat asked to wait a few minutes until copies were made.

EXECUTIVE ACTION ON SB 361

01:14:18 Chairman Balyeat

01:14:26 **Motion/Vote:** Sen. Facey moved that **SB 361 DO PASS**. Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 352

01:15:26 **Motion:** Sen. Facey moved that **SB 352 DO PASS**.

01:15:35 **Motion:** Sen. Steinbeisser moved that **SB 352 BE AMENDED**.
EXHIBIT(bus40a06)

Discussion:

01:15:38 Ms. Murdo
01:18:17 Chairman Balyeat
01:18:22 Sen. Mowbray
01:18:29 Ms. Murdo

01:19:03 **Vote:** Motion carried unanimously by voice vote. Sen. Tutvedt voted by proxy.

01:19:15 **Motion/Vote:** Sen. Facey moved that **SB 352 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

01:20:55 Chairman Balyeat

01:21:00 Recess
01:39:00 Reconvene

01:39:03 Chairman Balyeat

01:39:17 Sen. Jackson did not return from the break until later in the meeting.

EXECUTIVE ACTION ON SB 294

01:39:34 **Motion:** Sen. Balyeat moved that **SB 294 DO PASS**.
EXHIBIT(bus40a07)
EXHIBIT(bus40a08)

01:39:49 **Motion:** Sen. Balyeat moved that **SB 294 BE AMENDED**.

Discussion

01:40:46 Chairman Balyeat
01:42:22 Sen. Moore
01:42:31 Sen. Facey

01:42:49 **Vote:** Motion carried 8-3 by voice vote with Sen. Stewart-Peregoy, Sen. Vuckovich and Sen. Jackson voting no. Sen. Tutvedt, Sen. Windy Boy and Sen. Jackson voted by proxy.

01:43:22 **Motion:** Sen. Facey moved that **SB 294 DO PASS AS AMENDED**.

Discussion:

01:43:38 Ms. Murdo
01:43:51 Chairman Balyeat

01:44:33 **Vote:** Motion carried 9-2 by voice vote with Sen. Stewart-Peregoy and Sen. Vuckovich voting no. Sen. Jackson, Sen. Tutvedt and Sen. Windy Boy voted by proxy.

01:45:06 Chairman Balyeat

EXECUTIVE ACTION ON SB 264

01:45:42 **Motion:** Sen. Moore moved that **SB 264 DO PASS**.

Discussion:

01:45:53 Chairman Balyeat
01:47:40 Sen. Moore
01:49:19 Sen. Facey
01:50:07 Sen. Steinbeisser
01:50:33 Sen. Moore
01:50:46 Chairman Balyeat
01:51:10 Sen. Moore
01:52:11 Sen. Mowbray

01:54:22 **Vote:** Motion failed 3-8 by roll call vote with Sen. Balyeat, Sen. Jackson and Sen. Moore voting aye. Sen. Tutvedt, Sen. Jackson, and Se. Windy Boy voted by proxy. Without objection, Chairman Balyeat moved to **REVERSE THE VOTE AND TABLE THE BILL.**

1:54:40 Sen. Jackson returned.

EXECUTIVE ACTION ON SB 341

01:54:50 **Motion:** Sen. Moore moved that **SB 341 DO PASS**.

01:55:04 **Motion:** Sen. Moore moved that **SB 341 BE AMENDED**.
EXHIBIT(bus40a09)

Discussion:

01:55:52 Sen. Tropila
01:56:06 Ms. Murdo
01:56:33 Chairman Balyeat

01:56:46 **Vote:** Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

01:56:57 **Motion:** Sen. Moore moved that **SB 341 DO PASS AS AMENDED**.

Discussion:

01:57:09 Sen. Moore
02:00:49 Chairman Balyeat
02:03:44 Sen. Tropila
02:04:30 Sen. Steinbeisser
02:04:54 Sen. Face
02:05:59 Sen. Moore

02:06:46 **Vote:** Motion carried 6-5 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Tropila, Sen. Vuckovich and Sen. Windy Boy voting no. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

02:08:16 Chairman Balyeat
02:08:20 Ms. Murdo
02:08:23 Sen. Facey
02:08:41 Chairman Balyeat
02:09:01 Ms. Murdo
02:09:15 Chairman Balyeat

ADJOURNMENT

Adjournment: 10:10 A.M.

_____
Linda Keim, Secretary

lk

Additional Documents:

EXHIBIT(bus40aad.pdf)

BUSINESS & LABOR
EXHIBIT NO. 1
DATE 2-18-11
BILL NO. SB 361

Amendments for SB 361

Requested by Sponsor

Page 2, Line 8, following "approved"

Insert: "types of games, such as"

Page 3, Line 1, following "cash."

Insert: "Video line gamers may only be offered in a multi-game cabinet."

Page 3, Line 16, strike "gambling" prior to operator

Insert: "machine" prior to operator

Page 3, Line 20, following "distributor"

Insert: "route operator,"

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Elsie Arntzen, on March 9, 2011 at 8:00 AM, in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Tom Berry, Vice Chairman (R)
Rep. Chuck Hunter, Vice Chairman (D)
Rep. Carlie Boland (D)
Rep. Christy Clark (R)
Rep. Virginia Court (D)
Rep. Lila Walter Evans (R)
Rep. Timothy Furey (D)
Rep. Edward Greef (R)
Rep. Harry Klock (R)
Rep. Jonathan McNiven (R)
Rep. Scott Reichner (R)
Rep. Michele Reinhart (D)
Rep. Daniel R. Salomon (R)
Rep. Sterling Small (R)
Rep. Cary Smith (R)
Rep. Gordon Vance (R)
Rep. Jeffery W. Welborn (R)

Members Excused: Rep. Elsie Arntzen, Chairman (R)
Rep. Pat Noonan (D)
Rep. Matthew M. Rosendale Sr (R)
Rep. Carolyn Squires (D)

Members Absent: None

Staff Present: Bart Campbell, Legislative Branch
Sandra Sullivan, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:
Hearing & Date Posted: SB 361, 3/4/2011; SB 269, 3/4/2011; SB 290, 3/4/2011; SB 294, 3/4/2011; SB 342, 3/4/2011

HEARING ON SB 290

Opening Statement by Sponsor:

00:01:10 Sen. Ryan Zinke (R), SD 2, opened the hearing on SB 290, Exclude independent contractor as employee under Human Rights Act.

Proponents' Testimony:
00:03:41 Rep. Rosendale and Rep. Noonan arrived.
00:04:50 Jerry Keck, Administrator, Employee Relations Division, Department of Labor and Industry (DLI)
EXHIBIT(buh53a01)
00:06:41 Jason Miller, Co-Vice Chair for Labor, Labor-Management Advisory Council on Worker's Compensation and Safety (LMAC)
00:07:18 Bob Worthington, Co-Vice Chair for Business, LMAC

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:
00:08:00 Vice Chairman Hunter
00:08:23 Mr. Keck, DLI
00:09:14 Vice Chairman Hunter
00:09:27 Mr. Keck

Closing by Sponsor:
00:09:34 Sen. Zinke

HEARING ON SB 361

Opening Statement by Sponsor:

00:10:24 Sen. Rick Ripley (R), SD 9, opened the hearing on SB 361, Generally revise gambling laws.

Proponents' Testimony:
00:13:27 Neil Peterson, Executive Director, Gaming Industry Association of Montana (GIA)
00:14:10 Rep. Squires arrived.
00:14:32 Mark Staples, Montana Tavern Association (MTA)
00:16:18 Ronda Wiggers, Montana Coin Machine Operators
00:17:28 John Tooke, Owner, Golden Spur Bar and Casino
00:19:35 Ralph Ferraro, Owner, Rocking R Bar
00:20:07 Bruce Wilson, Grand Vision Gaming
00:20:47 Rick Ogle, Owner, JR's Lounge and Liquor Store
00:21:22 John Hayse, Director, Cascade County Tavern Association
00:21:51 Clint Lohman, Owner, Rocky Mountain Gaming

00:22:30 Kathy Bushnell, Manager, Jackpot Casino
00:24:07 Steve Morris, Jorgenson's and Tri-County Tavern Association

Opponents' Testimony: None

Informational Testimony:
00:24:42 Rick Ask, Administrator, Gambling Control Division, Department of Justice (DOJ)

Questions from Committee Members and Responses:
00:25:14 Rep. Furey
00:25:38 Mr. Staples, MTA
00:27:08 Rep. Clark
00:27:26 Mr. Staples
00:27:40 Rep. Clark
00:28:06 Mr. Staples

Closing by Sponsor:
00:28:20 Sen. Ripley

00:29:14 Meeting recessed.
00:41:56 Meeting resumed.

HEARING ON SB 269

Opening Statement by Sponsor:

00:42:19 Sen. Edward Buttrey (R), SD 13, opened the hearing on SB 269, Exempt certain nonprofit housing developers from manufactured housing provisions.

Proponents' Testimony:
00:45:07 Sheila Rice, NeighborWorks Montana
EXHIBIT(buh53a02)
00:48:19 Bruce Brensdal, Administrator, Housing Division, Department of Commerce (COM)
00:49:29 Maureen Rude, Director of Operations, NeighborWorks Montana

Opponents' Testimony:
00:51:17 Joe Roberts, Montana Association of Realtors (MAR)
00:52:41 Joel Jasperson, Owner, Rangitsch Brothers Manufactured Housing Dealers
00:55:15 Stuart Doggett, Montana Manufactured Housing and Recreational Vehicle Association

Informational Testimony: None

Questions from Committee Members and Responses:
01:00:20 Rep. Boland
01:00:53 Ms. Rice
01:01:33 Rep. Boland
01:01:41 Ms. Rice

01:01:49 Rep. Furey
01:02:15 Ms. Rice
01:02:30 Rep. Welborn
01:02:48 Ms. Rice
01:03:14 Rep. Welborn
01:03:48 Ms. Rice
01:03:54 Rep. Welborn
01:04:11 Ms. Rice
01:04:36 Rep. Greef
01:05:14 Ms. Rice
01:06:22 Rep. Squires
01:06:38 Ms. Rice
01:06:48 Rep. Squires
01:07:03 Mr. Jasperson
01:07:07 Rep. Squires
01:07:09 Mr. Jasperson
01:07:26 Rep. Squires
01:07:49 Mr. Jasperson
01:08:08 Rep. Squires
01:08:17 Mr. Jasperson
01:08:41 Rep. Squires
01:09:06 Mr. Jasperson
01:09:50 Rep. Squires
01:10:35 Mr. Brensdal, COM
01:11:14 Rep. Squires
01:11:16 Mr. Brensdale
01:11:33 Vice Chairman Hunter
01:11:55 Ms. Rice
01:12:37 Vice Chairman Hunter
01:12:47 Ms. Rice
01:12:59 Vice Chairman Hunter
01:13:15 Ms. Rice
01:13:57 Rep. McNiven
01:14:47 Ms. Rice
01:15:26 Rep. McNiven
01:15:41 Ms. Rice
01:15:48 Rep. McNiven
01:16:20 Ms. Rice

Closing by Sponsor:
01:17:33 Sen. Buttrey

HEARING ON SB 294

Opening Statement by Sponsor:

01:19:05 Sen. Edward Buttrey (R), SD 13, opened the hearing on SB 294, Revise workforce training grant program.

EXHIBIT(buh53a03)

Proponents' Testimony:
01:27:37 Sarah Converse, Executive Director, Sweetgrass Development
EXHIBIT(buh53a04)
01:28:49 Ms. Rice

Opponents' Testimony:

Informational Testimony:
01:29:18 Andy Poole, COM
01:29:34 Rick Edwards, Montana Economic Developers Association (MEDA)

Questions from Committee Members and Responses:
01:31:44 Rep. Clark
01:31:58 Sen. Buttrey
01:32:14 Rep. Greef
01:33:30 Sen. Buttrey
01:34:10 Rep. Greef
01:35:00 Sen. Buttrey
01:35:25 Vice Chairman Hunter
01:35:37 Sen. Buttrey
01:36:00 Vice Chairman Hunter
01:36:27 Sen. Buttrey
01:37:00 Rep. Reinhart
01:37:11 Sen. Buttrey
01:37:24 Mr. Poole, COM
EXHIBIT(buh53a05)
01:37:46 Rep. Reinhart
01:38:05 Mr. Poole
01:39:01 Rep. Reinhart
01:39:19 Mr. Poole
01:40:05 Rep. Reinhart
01:40:45 Sen. Buttrey
01:41:28 Rep. Reinhart
01:41:37 Sen. Buttrey
01:42:16 Rep. Reinhart
01:42:34 Sen. Buttrey
01:42:48 Rep. Squires
01:43:56 Sen. Buttrey
01:44:23 Mr. Poole
01:46:21 Rep. Squires
01:47:02 Mr. Poole

Closing by Sponsor:
01:48:57 Sen. Buttrey

HEARING ON SB 342

Opening Statement by Sponsor:

01:50:00 Sen. Edward Buttrey (R), SD 13, opened the hearing on SB 342, Define misconduct for unemployment insurance laws.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:
01:51:47 Roy Mulvaney, Administrator, Unemployment Insurance Division, DLI

Questions from Committee Members and Responses: None

Closing by Sponsor:
01:52:51 Sen. Buttrey

ADJOURNMENT

09:58:00 Adjournment

_____
Sandra Sullivan, Secretary

ss

Additional Documents:

EXHIBIT(buh53aad.pdf)